

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **September 24, 2002, Work Session**

AGENDA ITEM NO.: **6**

CONSENT:

REGULAR: **X**

CLOSED SESSION:

(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: **Art in Public Places**

RECOMMENDATION: Establish a Public Art Advisory Commission to address issues of the display of art in public places.

SUMMARY:

Since at least 1995 various individuals or groups have called for the removal of artwork in both the Monument Terrace Building and the Circuit Court Building. Although the matter has been before Council several times, in the minds of some, there has been no resolution. Attached are copies of previous correspondence to Council on this matter.

Council is probably aware that controversy regarding public art is not unique to Lynchburg. There are numerous examples of similar disputes across the nation, usually without resolution. While it is recognized that certain individuals might find certain art to be offensive for various reasons, it is evident that there is a deeply held aversion to removing, in effect censoring, art because some find it inappropriate. It is a matter of principle over taste. There is also the practical reality that if only art that no one finds offensive is displayed, there will be little worthwhile art displayed.

The issue becomes more complicated when the art is in public buildings and when tastes, sensitivities or preferences change over time. Finally, to add to the challenge, the pieces most immediately at issue in Lynchburg are integral to the buildings they are in and their removal would require considerable expense. Ironically, Council dealt with the matter of displaying new and easily moved works of art in City Hall in 1996 by authorizing the City Manager to promulgate guidelines. Unfortunately, the guidelines did not address existing works.

There are several questions that need to be answered to put this matter to rest.

1. Is it appropriate to consider the removal of long standing works of public art that some now find offensive?
2. If removal is an acceptable option, by what standard is art determined to be offensive enough to warrant removal? Should art be removed if anybody finds it objectionable or should there be some determination of broad community standards or feelings on the matter? Should the majority rule or should a minority opinion be respected? How is either determined?
3. If art is removed from a public space, how should it then be handled? Should it be displayed elsewhere? Should it be sold or given away?
4. What is the willingness to pay for the removal of the art and any necessary renovation?
5. How will the answers to these questions affect future efforts to promote public art?

It has been suggested that one approach to this issue would be the creation of a Public Art Advisory Commission. Research indicates that there are a number of such commissions across the country, although staff could find no evidence of a commission being created solely for the purpose of discussing the removal of public art. Typically, art commissions are created as a part of a conscientious public effort to promote the creation and display of art in public spaces.

In response to a request to explore the creation of an arts commission, Museum Director Tom Ledford prepared a report that is attached. He suggests that an arts commission might have two purposes, reactive and proactive, and that the composition of the commission would be an important decision. Such a group in Lynchburg should include both subject matter experts in the arts and citizens who would represent a broad cross section of

the community and who could work toward building a consensus. This would suggest a group of medium rather than small size, 15 to 20, for example.

While the creation of a Public Art Advisory Commission is recommended, ultimately the decision on whether or not to remove the works in question will rest with City Council.

PRIOR ACTION(S): Numerous discussions without definitive action.

FISCAL IMPACT: From \$1500 to \$75,000 depending on the option chosen. Providing staff support to a Public Art Advisory Commission would also involve some cost.

CONTACT(S): Kimball Payne

ATTACHMENT(S): Previous memoranda on the matter; report from Tom Ledford



REVIEWED BY: lkp